



Thomas G. Sherwood, LLC

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June 27, 2018

VIA ECF

Hon. Eric N. Vitaliano
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Desir v. Florida Capital Bank, N.A., et al.
Case No. 18-CV-02630-ENV-LB

Dear Judge Vitaliano:

We represent Defendant Stewart Title Company, Inc. (“STC”), incorrectly named herein as Stewart Title, in connection with the above-referenced action. We write under Rule II(B) of Your Honor’s Individual Motion Practice and Rules to request the following briefing schedule for STC’s motion for summary judgment and related relief:

August 3, 2018:	Deadline to serve moving papers;
August 31, 2018:	Deadline to serve opposition papers; and
September 14, 2018:	Deadline to serve reply papers.

Yesterday, I sent a letter to Plaintiff and counsel for all co-defendants requesting that they consent to the foregoing briefing schedule. Counsel for all co-defendants have consented. Plaintiff, however, refuses to consent, claiming that my request is “inadmissible.” I attempted again today to obtain Plaintiff’s consent, but she refused, apparently based on the grounds that I am “not a witness” and “do not have personal knowledge.” Copies of my June 26, 2018 letter to all parties and my email exchanges with Plaintiff are enclosed.

Accordingly, I respectfully request that Your Honor approve the above briefing schedule.

Respectfully submitted,

s/ Amy E. Abbondondelo

Encls.

cc via ECF: Ms. Carlyne Desir, Evan E. D’Amico, Esq., Mitchell L. Pashkin, Esq.,
Keith L. Abramson, Esq., Ashley Sparrow Miller, Esq.,
Michael E. Auerbach, Esq., BJ Finneran, Esq.

Amy E. Abbandondelo

From: Carlyne Edwards <carlynedesir@gmail.com>
Sent: Wednesday, June 27, 2018 12:27 PM
To: Amy E. Abbandondelo
Subject: Re: Desir v. Florida Capital Bank, et al. (18-cv-02630)

I do not consent to the briefing schedule. You are not a witness and you do not have personal knowledge! Lies, scam fraud!!!

On Wed, Jun 27, 2018, 12:21 PM Amy E. Abbandondelo <aabbandondelo@tgsherwood.com> wrote:

Dear Ms. Desir:

My letter, as required by the Judge's rules, merely seeks to set forth a briefing schedule for a future motion STC intends to make. My letter concerns scheduling only, proposing that STC will serve its motion papers by August 3, 2018, you will serve your opposition, if any, by August 31, 2018, and STC will serve its reply by September 14, 2018. Once STC makes its motion, you will have the opportunity to oppose it, and at that time can make any arguments you wish as to the admissibility of STC's evidence, or anything else. You cannot, however, stop STC from making its motion.

My letter does not include any legal arguments or evidence or otherwise address the merits of the parties' claims. Your response below is therefore inappropriate and appears to be a frivolous attempt to hinder our ability to proceed under the Judge's rules.

Please advise if you consent to the briefing schedule or if you anticipate needing more time to oppose STC's motion.

Very truly yours,

Amy E. Abbandondelo

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From: Carlyne Edwards <carlynedesir@gmail.com>

Sent: Wednesday, June 27, 2018 10:49 AM

To: Amy E. Abbandondelo <aabbandondelo@tgsherwood.com>; ashley.miller@akerman.com; mpash@verizon.net; bifinneran@zeklaw.com; edamico@winston.com

Subject: Re: Desir v. Florida Capital Bank, et al. (18-cv-02630)

OPPOSE AND OBJECTION!!

I do not agree to "Deadline to serve moving papers,

Deadline to serve Opposition papers and

Deadline to serve

reply papers

". Documents file by attorneys are inadmissible!! Supreme Court Rulings "An attorney for the plaintiff cannot admit evidence into the court. He is either an attorney or a witness". (Trinsey v. Pagliaro D.C.Pa. 1964, 229 F. Supp. 647)."

On Tue, Jun 26, 2018 at 1:45 PM, Amy E. Abbandondelo <aabbandondelo@tgsherwood.com> wrote:

Dear Mr. Desir and Counselors:

Please see attached letter.

Sincerely,

Amy E. Abbandondelo

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June 26, 2018

VIA EMAIL

MS. CARLYNE DESIR
1211 Atlantic Court
Kissimmee, Florida 34759

MITCHELL L. PASHKIN, ESQ.
775 Park Avenue, Suite 255
Huntington, New York 11743

AKERMAN LLP
Attention: Ashley Sparrow Miller
666 Fifth Avenue, 20th Floor
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New York, New York 10036

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Attn: Michael E. Auerbach, Esq.
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New York, New York 10170

ZEICHNER ELLMAN & KRAUSE LLP
Attention: BJ Finneran, Esq.
1211 Avenue of the Americas
New York, New York 10036

Re: Desir v. Florida Capital Bank, N.A., et al.
Case No. 18-CV-02630-ENV-LB

Dear Ms. Desir and Counselors:

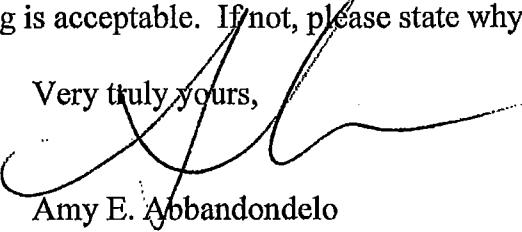
As you know, we represent Defendant Stewart Title Company, Inc. ("STC"), incorrectly named herein as Stewart Title, in connection with the above-referenced action. Under Rule III(B) of Hon. Eric N. Vitaliano's Individual Motion Practice and Rules, I write to propose the following briefing schedule for STC's motion for summary judgment dismissing Plaintiff's complaint against STC and related relief:

June 26, 2018

August 3, 2018: Deadline to serve moving papers;
August 31, 2018: Deadline to serve opposition papers; and
September 14, 2018: Deadline to serve reply papers.

Please confirm that the foregoing is acceptable. If not, please state why.

Very truly yours,


Amy E. Abbandondelo